

**CALENDAR ITEM  
C33**

A     4  
S     3

06/29/15  
W 26806  
M. Schroeder

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

North State Property Investments, Inc., a Nevada Corporation

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the Napa River, adjacent to 1546 Milton Road, city of Napa, Napa County.

**AUTHORIZED USE:**

Use and maintenance of an uncovered floating boat dock, gangway, four fiberglass pilings, and installation of decking surface not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning June 29, 2015.

**CONSIDERATION:**

\$141 per year, with an annual Consumer Price Index adjustment.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in an amount no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. The existing dock facilities were never authorized but have existed at this location for many years. The facilities came to the attention of the San Francisco Bay Conservation and Development Commission (BCDC) when the Applicant reconstructed the uncovered floating boat dock, gangway, and four fiberglass pilings in 2014. Installation of decking surface remains to be completed. BCDC notified the Applicant that permits were required and also notified Commission staff of the unauthorized structures. The Applicant has obtained an after-the-fact permit from the U.S. Army Corps of Engineers and is in the process of obtaining additional after-the-fact permits from the San Francisco Bay Regional Water Quality Control Board

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and BCDC. The Applicant is now applying for a General Lease – Recreational Use. Staff recommends authorization of these facilities.

3. **Existing Uncovered Boat Dock, Gangway, Four Fiberglass Pilings:** The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

**Installation of Decking Surface:** The staff recommends that the Commission find that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**APPROVALS OBTAINED:**

U.S. Army Corps of Engineers

**FURTHER APPROVALS REQUIRED:**

San Francisco Bay Regional Water Quality Control Board  
San Francisco Bay Conservation and Development Commission

**EXHIBITS:**

- A. Land Description
- B. Site and Location Map

CALENDAR ITEM NO. **C33** (CONT'D)

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

**Existing Uncovered Boat Dock, Gangway, Four Fiberglass**

**Pilings:** Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

**Installation of Decking Surface:** Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 3, New Construction of Small Structures; California Code of Regulations, Title 2, section 2905, subdivision (c)(1).

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to North State Property Investments, Inc., a Nevada Corporation, beginning June 29, 2015, for a term of 10 years, for the use and maintenance of an existing uncovered floating boat dock, gangway, four fiberglass pilings, and installation of decking surface not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$141, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

## EXHIBIT A

W 26806

### LAND DESCRIPTION

A parcel of tide and submerged land, situate in the bed of the Napa River lying adjacent to Swamp and Overflowed Land Survey 76 patented June 9, 1887, County of Napa, State of California, and more particularly described as follows:

All those lands underlying an existing uncovered floating boat dock and gangway lying adjacent to those lands as described in "Exhibit A" in that Grant Deed, recorded May 30, 2014 in Document No. 2014-0010739 in Official Records of said County.

TOGETHER WITH any applicable impact area(s).

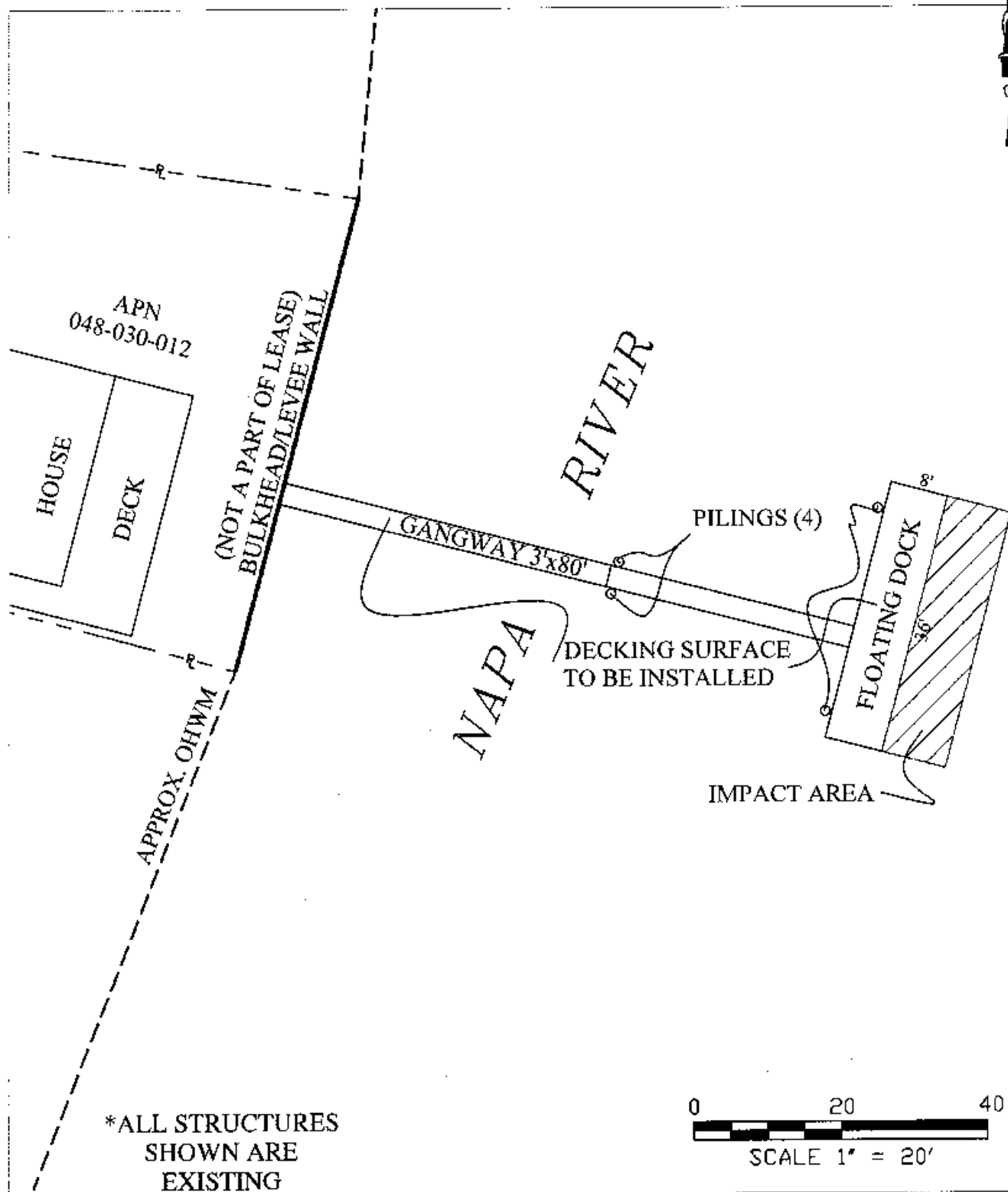
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the of the Napa River.

Accompanying plat is hereby made part of this description.

### END OF DESCRIPTION

PREPARED 5/29/15 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT





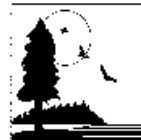
## EXHIBIT A

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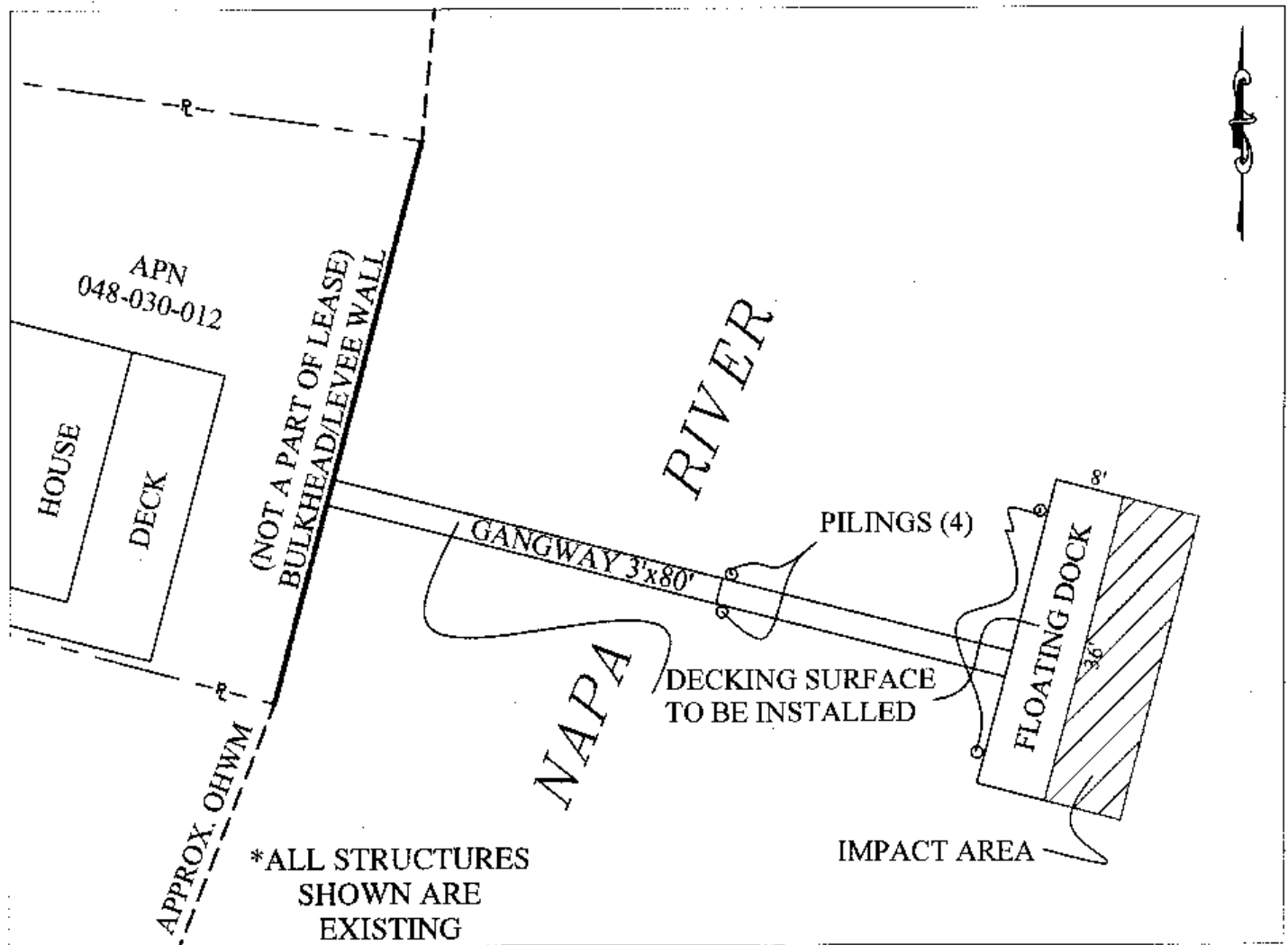
LAND DESCRIPTION PLAT  
W 26806, NORTH STATE PROPERTY  
INVESTMENTS, INC.  
NAPA COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

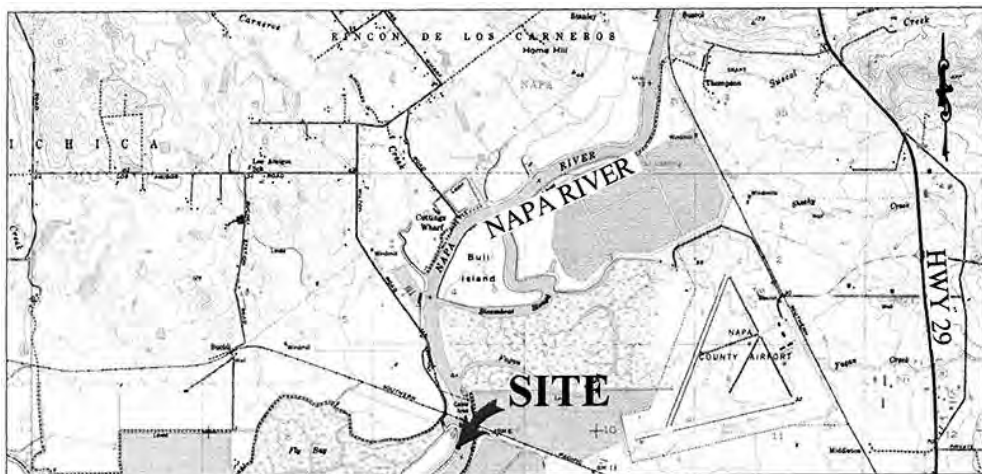
## SITE



1546 Milton Road, Napa

NO SCALE

## LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

## **Exhibit B**

W 26806  
NORTH STATE PROPERTY  
INVESTMENTS, INC.  
APN 048-030-012  
GENERAL LEASE -  
RECREATIONAL USE  
NAPA COUNTY



MFJ 5/29/15